



PO BOX 201706
Helena, MT 59620-1706
(406) 444-3064
FAX (406) 444-3036

Water Policy Interim Committee 62nd Montana Legislature

SENATE MEMBERS
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BRADLEY MAXON HAMLETT
SHARON STEWART-PEREGOY
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COMMITTEE STAFF
JOE KOLMAN, Lead Staff
TODD EVERTS, Staff Attorney
HELEN THIGPEN, Staff Attorney
KEVIN MCCUE, Secretary

FINAL AGENDA WATER POLICY INTERIM COMMITTEE

State Capitol, Room 172
September 13-14, 2011

AGENDA ITEM TIMES ARE APPROXIMATE

- 9:00 a.m. **Call to Order** - Sen. Hamlett
- Roll Call
 - Approval of minutes from June 2011 WPIC
- 9:05 a.m. **Nutrient Work Group - standards update** (75-5-313, MCA)
- George Mathieus, DEQ
 - Public comment
 - Committee questions, discussion, and action, if any
- 9:30 a.m. **Water-related research by state entity** (85-2-105, MCA)
- Gretchen Rupp, Montana Water Center
 - Public comment
 - Committee questions, discussion, and action, if any
- 9:50 a.m. **Water Information System update** (85-2-105, MCA)
- Evan Hammer, Natural Resource Information System Manager
 - Public comment
 - Committee questions, discussion, and action, if any
- 10:10 a.m. **Water right adjudication update** (85-2-281, MCA)
- DNRC Update - Director Sexton
 - Montana Water Court - Judge Loble
 - Public comment
 - Committee questions, discussion, and action, if any
- 10:40 a.m. **Break**

- 10:50 a.m. **Pipelines crossing state waterways**
- How Rivers Move - John Metesh, MBMG
 - Oil Pipeline Safety Review Council - Director Oppen, DEQ
 - Silvertip Pipeline update - Director Sexton, DNRC
 - Public comment
 - Committee questions, discussion, and action, if any
- 11:45 a.m. **Flood-related demonstrations** -- DNRC Rolling River -- David Martin
- 12:30 p.m. **Lunch**
- 1:30 p.m. **Water Right Permitting**
- Overview -- Joe Kolman, staff
 - Examples:
 - Elk Creek irrigation water right permit -- Dave Schmidt
 - Stevensville subdivision water right permit -- Donny Ramer
 - TimberWorks subdivision exempt wells -- Ryan Casne
 - DNRC perspective -- Tim Davis
 - Public comment
 - Committee questions, discussion, and action, if any
- 2:45 p.m. **Exempt Well Issues in the West**
- Overview -- Nathan Bracken, Western States Water Council
 - Public comment
 - Committee questions, discussion, and action, if any
- 3:30 p.m. **Legal challenges to exempt wells**
- Summary -- Helen Thigpen, staff attorney
 - Public comment
 - Committee questions, discussion, and action, if any
- 3:45 p.m. **Break**
- 3:55 p.m. **Enforcement of statutory exempt well limits**
- Overview of enforcement of water rights -- Helen Thigpen, staff attorney
 - Exempt well measurement options and enforcement -- Tim Davis, DNRC
 - Public comment
 - Committee questions, discussion, and action, if any
- 5:00 p.m. **Public comment** on any matter not contained in this agenda and that is within the jurisdiction of the WPIC

Recess for the day

Reconvene Wednesday

- 8:00 a.m. **Rule review & agency litigation status report** -- Helen Thigpen, staff attorney
- Public comment
 - Committee questions, discussion, and action, if any
- 8:15 a.m. **EPA guidance on Clean Water Act** -- Helen Thigpen, staff attorney
- Public comment
 - Committee questions, discussion, and action, if any
- 8:30 a.m. **Clark Fork River Basin Task Force update** (85-2-350, MCA)
- Gerald Mueller, task force facilitator
 - Public comment
 - Committee questions, discussion, and action, if any
- 9:00 a.m. **Water use requirements**
- Overview -- Tim Davis, DNRC
 - Public comment
 - Committee questions, discussion, and action, if any
- 9:15 a.m. **Break**
- 9:30 a.m. **Previously discussed exempt well options**
- Overview -- Joe Kolman, staff
 - Public comment
 - Committee questions, discussion, and action, if any
- 10:15 a.m. **Ground Water Investigation Program - MBMG**
- Project updates -- John Wheaton
 - North Hills Groundwater Model -- Kirk Waren
 - Exempt well analysis options -- John Metesh
 - Public comment
 - Committee questions, discussion, and action, if any
- 11:00 a.m. **Administrative matters**
- Adoption of work plan - Mr. Kolman
 - Public comment
 - Committee discussion and action
 - Review of final WPIC rules - Mr. Kolman
- 11:15 a.m.. **Other business**
Instructions to staff
- 11:30 a.m.. **Public comment** on any matter not contained in this agenda and that is

within the jurisdiction of the WPIC

Adjourn

Anyone wanting to attend the meeting who may need services or accommodations, please contact Joe Kolman (406-444-9280 or jkolman@mt.gov) at least 5 working days before the meeting.

All meeting materials are available on the WPIC website at leg.mt.gov/water/